



# UNITED STATES ATTORNEY'S OFFICE EASTERN DISTRICT OF VIRGINIA

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**FOR IMMEDIATE RELEASE:**

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## **CLARKSVILLE BYPASS PROJECT MANAGERS PLEAD GUILTY TO VIOLATIONS OF THE REFUSE ACT**

(Richmond, VA) – Loch Lawrence Louman, age 47, and Rick Callahan, age 43, both of Washington state, pleaded guilty this month to depositing a pollutant in a navigable water of the United States. Chuck Rosenberg, United States Attorney for the Eastern District of Virginia; James L. Thompson, Jr., Special Agent-In-Charge, Environmental Protection Agency (EPA); Geoffrey A. Cherrington, Special Agent-in-Charge, Defense Criminal Investigative Service, the criminal investigative arm of the Office of Inspector General, Department of Defense; and David K. Paylor, Director of the Virginia Department of Environmental Quality (DEQ), announced the guilty pleas.

Louman entered his plea today before Magistrate Judge Dennis W. Dohnal, who will sentence him on April 30, 2007. On January 22, 2007, Callahan, who Louman supervised, entered a guilty plea to the same charge. He is scheduled to be sentenced by Magistrate Judge Dohnal on April 30, 2007. Louman and Callahan both face a sentence of not less than 30 days nor more than one year in jail and a fine of up to \$100,000.

According to the indictment and statement of facts signed by Callahan and Louman, in the spring of 2000, the Virginia Department of Transportation (VDOT) awarded a contract to AMEC Civil, L.L.C., previously doing business as Morse Diesel Civil, L.L.C., to complete the Clarksville Bypass Project in Mecklenburg, Virginia. This project involved the expansion of Route 58 south of the existing bridge, as well as the construction of a new bridge across the J.H. Kerr Reservoir. The J.H. Kerr reservoir is legally classified as a "State Water" and a "navigable water of the United States." In accordance with state and federal law, VDOT obtained a Virginia Water Protection Permit ("VWP permit") for the project, which prohibited the pouring of wet or uncured concrete into State waters as well as the dumping of construction material or waste material into the reservoir.

Both Louman and Callahan have admitted that on August 1<sup>st</sup>, 2001, they were knowingly responsible for the intentional discharge of concrete slurry into the J.H. Kerr Reservoir. On that day, AMEC employees, including Callahan, under the supervision of Louman, were in the process of pouring wet concrete into a circular metal casing or form, also known as a caisson, in the reservoir. During the pour, however, the concrete pump failed, which required the employees to abort the pouring operation. Louman ordered Callahan to evacuate the concrete from the caisson using an airlift. The evacuation process resulted in the knowing and intentional discharge of water mixed with concrete slurry and ad-mixture to be discharged into the J.H. Kerr Reservoir, in violation of the law.

The case was investigated by agents of DCIS, DEQ, and the EPA and is being prosecuted by Assistant United States Attorneys David T. Maguire, Olivia N. Hawkins and Michael S. Dry, as well as David Lastra, EPA Regional Criminal Enforcement Counsel.

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